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Rec'd PCTO 21 FEB 2006

10/527587

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

William Beschorner *et al.*) Group Art Unit: TBA
Int'l Application No.: PCT/US 2003/029251)
Serial No. 10/527,587) Examiner: TBA
Filed: March 14, 2005) Atty. Dkt. No. 000241.00003

For: *Growth of Foreign Cells in Fetal
Animals Facilitated by Conditional & Selective
Destruction of Native Host Cells*

PETITION UNDER 37 C.F.R. § 1.47(a)

Commissioner of Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicants hereby petition under 37 C.F.R. § 1.47(a) for acceptance of the attached Response to the Notice to File Missing Parts mailed July 18, 2005. Charge Deposit Account No. 19-0733 for the Petition Fee under (37 C.F.R. § 1.17(h) and any other fees which may be due.

There are three (3) inventors listed on the declaration:

William E. Beschorner;

Carlos E. Sosa; and

Scott C. Thompson

However, only William E. Beschorner signed the declaration.

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RECEIVED

26 APR 2006

Legal Staff
International Division

04/28/2006 CSNDT

04/28/2006 CSNDT

Serial No. 10/522,615


Response to Missing Requirements
Under 35 U.S.C. 371 In The United States
Designated/Elected Office (DO/EO/US)

A declaration of Nathan D. Bills is attached and explains how diligent attempts were made to obtain the signature of the non-signing inventors Carlos E. Sosa and Scott C. Thompson. As Dr. Bills' declaration demonstrates, the non-signing inventors are unavailable or have refused to sign the declaration.

Applicants request that the application be accepted as complete even though two of the inventors, Carlos E. Sosa and Scott C. Thompson are unavailable or have refused to sign the declaration.

Respectfully submitted,

Dated February 21, 2006


Lisa M. Hemmendinger
Registration No. 42,653

LMH:sdm

BANNER & WITCOFF, Ltd.
Customer Number 22907

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2005 (fees effective on or after December 8, 2004)		Docket Number (Optional) 000241.00003																								
Application Number 10/527,587		Filed March 14, 2005																								
For Growth of Foreign Cells in Fetal Animals Facilitated by Conditional & Selective Destruction of Native Host Cells																										
Art Unit TBA		Examiner TBA																								
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.</p> <p>The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):</p> <table><thead><tr><th></th><th><u>Fee</u></th><th><u>Small Entity Fee</u></th><th></th></tr></thead><tbody><tr><td><input type="checkbox"/> One month (37 CFR 1.17(a)(1))</td><td>\$120</td><td>\$60</td><td>\$ _____</td></tr><tr><td><input type="checkbox"/> Two months (37 CFR 1.17(a)(2))</td><td>\$450</td><td>\$225</td><td>\$ _____</td></tr><tr><td><input type="checkbox"/> Three months (37 CFR 1.17(a)(3))</td><td>\$1020</td><td>\$510</td><td>\$ _____</td></tr><tr><td><input type="checkbox"/> Four months (37 CFR 1.17(a)(4))</td><td>\$1590</td><td>\$795</td><td>\$ _____</td></tr><tr><td><input checked="" type="checkbox"/> Five months (37 CFR 1.17(a)(5))</td><td>\$2160</td><td>\$1080</td><td><u>\$1080</u></td></tr></tbody></table> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>19-0733</u>. I have enclosed a duplicate copy of this sheet.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>I am the <input type="checkbox"/> applicant/inventor. 02/23/2006 LLANDGRA 00000018 190733 10527587 <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71 02 FC:2255 1080.00 DA</p> <p style="text-align: center;">Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>42,653</u></p> <p><input type="checkbox"/> attorney or agent under 37 CFR 1.34.</p> <p style="text-align: center;">Registration number if acting under 37 CFR 1.34. _____</p> <div style="display: flex; justify-content: space-between;"><div style="width: 45%;"><p><u><i>Lisa M. Hemmendinger</i></u> Signature</p><p>Lisa M. Hemmendinger Typed or printed name</p></div><div style="width: 45%; text-align: right;"><p>February 21, 2006 (Tuesday) Date</p><p>202-824-3000 Telephone Number</p></div></div> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</p> <p><input type="checkbox"/> Total of _____ forms are submitted.</p>				<u>Fee</u>	<u>Small Entity Fee</u>		<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ _____	<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$ _____	<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$ _____	<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$ _____	<input checked="" type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	<u>\$1080</u>
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<input checked="" type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	<u>\$1080</u>																							

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.